



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

MEMORANDUM

DAVID P. LITTELL
COMMISSIONER

DATE: April 15, 2010

TO: Board of Environmental Protection

FROM: Becky Blais, Bureau of Land and Water Quality

SUBJ: Petitions for Intervener Status in applications of Calais LNG Project Company, LLC and Calais LNG Pipeline Company, LLC

On March 18, 2010, the Board voted to assume jurisdiction over and hold a public hearing on the applications by Calais LNG Project Company, LLC and Calais LNG Pipeline Company, LLC for a liquefied natural gas terminal and import facility and pipeline project in Washington County. The proposed terminal is located in the City of Calais and the proposed pipeline is located within the City of Calais as well as the towns of Baring Plantation, Baileyville and Princeton. Notice of the opportunity to petition to intervene in the Board's proceeding was published in the Bangor Daily News on March 22, 2010 and in the Calais Advertiser on March 25, 2010. The deadline for requesting intervener status was April 1, 2010.

At this meeting, the Board is being asked to take action on the ten Petitions for Intervention which were received by the Department prior to the April 1st deadline.

The Board shall grant intervener status to a petitioner when the Board finds that the petitioner has met the criteria in Chapter 30, Section 5(A).

GUIDELINES FOR PETITIONS: Chapter 30, Section 5(A) of the Department rules states: "A petition shall be granted if it demonstrates:

- (a) that the petitioner has a direct and substantial interest which may be affected by the proceedings;
- (b) that the petitioner has reasonably specific contentions regarding the subject matter of the hearing and the appropriate statutory criteria; and,
- (c) that the petitioner is prepared and capable of participation in the hearing in order to support such contentions."

SUMMARY OF PETITIONS: Ten Petitions for Intervention have been filed. The petitioners are: the Conservation Law Foundation, the Sierra Club, the Citizens for Clean and Secure Energy, Inc., Downeast LNG, Inc., Industrial Energy Consumer Group, the Maine State Chamber of Commerce, Maine Workers for a Healthier Environment, Inc., Professional Mariners and Waterway Users of Passamaquoddy Bay Region, Save Passamaquoddy Bay and Nulankeyutomonen Nkihtahkomikumon (We Take Care of Our Land), and City of Calais.

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The Governor's Office of Energy Independence and Security, the National Park Service and Roosevelt Campobello International Park Commission also submitted letters requesting to participate in the Board's Calais LNG hearing as interested government agencies.

DEPARTMENT RECOMMENDATION: The Department recommends that the Board grant intervener status to the ten petitioners listed above, as each has met the requirements of Chapter 30, Section 5(A). The Department further recommends that Governor's Office of Energy Independence and Security, the National Park Service and Roosevelt Campobello International Park Commission be allowed to participate as interested government agencies for these proceedings, pursuant to Chapter 30, Section 5(C).